



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

David P. Andrew, Brian A. Zabel and Paul D. Ponath

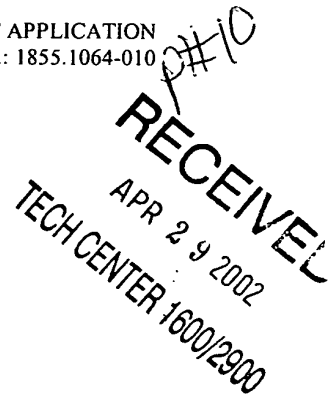
Application No.: 09/966,755

Group Art Unit: 1644

Filed: September 28, 2001

Examiner: Unknown

Title: METHODS OF IDENTIFYING AGENTS WHICH INHIBIT GPR-9-6



CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202	
on <u>4-24-02</u>	<u>Linda M Crawford</u>
Date	Signature
Linda M. Crawford	
Typed or printed name of person signing certificate	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

☒ under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☐ under 37 CFR 1.97(c) together with either:☐ a Statement under 37 CFR 1.97(e), as checked below, or☐ a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:☐ a Statement under 37 CFR 1.97(e), as checked below, and☐ a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.

(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
 - ☒ Copy of cited reference AB is enclosed.
 - ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
 - ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
 - ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
 - ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
 - ☐ the enclosed English language abstract.

[X] Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

____ U.S. Patent Application No. 09/522,752, by David P. Andrew, Brian A. Zabel and Paul D. Ponath, filed March 10, 2000, Docket No.: 1855.1064-003.

____ U.S. Patent Application No. 09/952,385, by David P. Andrew, Brian A. Zabel and Paul D. Ponath, filed September 13, 2001, Docket No.: 1855.1064-009.

____ U.S. Patent Application No. 10/000,759, by David P. Andrew, Brian A. Zabel and Paul D. Ponath, filed October 23, 2001, Docket No.: 1855.1064-011.

Examiner

Date

- [X] A copy of each above-cited application, including the current claims, is enclosed.
- [] A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- [] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- [] Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.
- [X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Robert H. Underwood

Robert H. Underwood
Registration No.: 45,170
Telephone: (978) 341-0036
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Concord, MA 01742-9133

Dated: April 24, 2002

1644



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Applicants: David P. Andrew, Brian A. Zabel and Paul D. Ponath

APR 29 2002

Application No.: 09/966,755

Group Art Unit: 1644

TECH CENTER 1600/2900

Filed: September 28, 2001

Examiner: Unknown

Title: METHODS OF IDENTIFYING AGENTS WHICH INHIBIT GPR-9-6

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<u>Linda M. Crawford</u>	
Typed or printed name of person signing certificate	

REMARKS

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

The subject application refers to murine hybridoma 3C3, which was deposited at the American Type Culture Collection (ATCC) on March 4, 1999, under the provisions of the Budapest Treaty. A copy of the ATCC Budapest Treaty Deposit Receipt and Viability Statement for murine hybridoma 3C3 was filed in the subject application on September 28, 2001. A

Statement Under 37 C.F.R. § 1.806 and § 1.808 is being filed concurrently, completing the biological deposit formalities.

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APR 29 2002
TECH CENTER 1600/2900

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Robert H. Underwood

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Registration No. 45,170

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Applicants: David P. Andrew, Brian A. Zabel and Paul D. Ponath
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STATEMENT UNDER 37 C.F.R. § 1.806 AND § 1.808

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

Pursuant to 37 C.F.R. § 1.806 and § 1.808 the undersigned states:

1. The above-referenced application contains reference to a biological deposit.

Murine hybridoma 3C3 (also referred to as LS129-3C3-E3-1) was deposited on March 4, 1999 at the American Type Culture Collection, 10801 University Boulevard, Manassas, VA, 20110-2209, in accordance with the terms of the Budapest Treaty under Accession No. HB-12653.

2. In accordance with 37 C.F.R. § 1.806, deposit HB-12653 is made for a term of at least thirty years and at least five years after the most recent request for the furnishing of a sample of the deposit is received by the depository. Deposit HB-12653 is stored under an agreement that makes it available beyond the enforceable life of the patent for which deposit HB-12653 was made.
3. In accordance with 37 C.F.R. § 1.808(a)(1), access to deposit HB-12653 will be available during the pendency of the above-referenced application to one determined by the Commissioner to be entitled thereto under 37 C.F.R. § 1.14 and 35 U.S.C. § 122.
4. In accordance with 37 C.F.R. § 1.808(a)(2), and except as permitted by 37 C.F.R. § 1.808(b), all restrictions imposed by the depositor on the availability to the public of the deposited material will be irrevocably removed upon the granting of a patent on the above-referenced application.
5. The undersigned is an agent of record.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Robert H. Underwood

Robert H. Underwood

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Concord, Massachusetts 01742-9133

Dated:

April 24, 2002

